

# The Athens Post.

BY SAM. P. IVINS.

ATHENS, TENNESSEE, FRIDAY, JUNE 26, 1868.

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## TERMS:

THE POST IS PUBLISHED EVERY FRIDAY, AT TWO DOLLARS A YEAR, PAYABLE IN ADVANCE.

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Communications, to secure insertion, must be accompanied by the name of the authors.

## The Post.

Athens, Friday, June 26, 1868.

### Twenty-One Years.

The negro who some time ago committed the rape upon Mrs. Rogers, of Knox county, had his trial last week, and was sentenced to twenty-one years in the penitentiary—all the jury could give him. The *Press* and *Herald* says, the evidence developed in the Court-room rendered it one of the most outrageous and brutal crimes ever committed in the country. That paper expresses an opinion that, "inasmuch as the next election does not take place until the first Tuesday in November, the fiend may be confined at least four months."

### Mississippi.

Governor Humphreys, while at a political meeting at Sardis, received a telegram that General McDowell had removed him, and also C. E. Hooker, Attorney General, and appointed General Ames as Military Governor, and Captain Myers as Attorney General.

### Heavy Defalcation.

The defalcation at the Hide and Leather National Bank, Boston, ascertained to be \$575,000. The surplus of the bank is \$350,000. The directors think a portion of the loss will be made up from the premiums on government securities owned by the bank, and the assets of defaulters. So the capital stock will be but slightly impaired.

### Snakey.

In Connecticut recently a boy killed a spotted adder and took the stick which had come in contact with the snake into his hand. He was immediately seized with severe pain in the hand and arm, and his body began to swell and was covered with red and black spots. Whisky cured him, but it was a remarkable case of poisoning.

### Caught at Last.

In Blandville, Illinois, three and a half years ago, William H. Randolph, Provost Marshal, was murdered by four men, named, respectively, Miles M. Bond, James J. Bond, John Bond and Attila Ray. The murderers made their escape, but an Illinois detective, named Fowler, has been on track of some of them ever since. Last Friday night he visited Sonora, Kentucky, where he had learned that one of the murderers was living, and, at daylight in the morning, captured Miles M. Bond, who is now in Louisville jail, awaiting a requisition. The others are still at large.

### Heavy Lode.

Persons who have been prospecting for silver near Ripley Landing, West Virginia, have struck a vein twenty-two inches thick, which yielded ninety-five per cent. of pure silver. Great excitement prevails in the neighborhood.

### Tramp--Tramp.

Forney's *Weekly Press* states that the song "Tramp, Tramp, Tramp," was composed by a prisoner confined in the Iowa Penitentiary, and was first written on the walls of his cell, with charcoal; and that it has netted the publisher thousands of dollars, but not a cent to the writer.

### Milk Weevil.

Mr. C. H. Humphrey, a resident of Switzerland county, Indiana, informs the *Cincinnati Commercial* that he has not examined a field of wheat this season without finding an insect that he describes as the milk weevil. The first appeared in Indiana last year, and this year they are so numerous that it is feared they may do much mischief.

It is rumored that John Owen, a radical negro orator, has been murdered by his brother Leaguers in Franklin county, Alabama, and that his body has been found under a brush-heap. Owen had some misunderstanding with the League and threatened to bolt; hence, it is supposed his assassination. Whenever one of them down that way gets a little shaky, he is just as good as a dead nigger right then.

## The Popular Drift.

In his last letter the Washington correspondent of the *Cincinnati Gazette* writes as follows concerning the Democratic canvass for the Presidency:

The Presidential question in the Democratic ranks grows interesting. The movement towards Chief Justice Chase, already leading Democrats are reckoning upon New York, New England, Virginia and several other Southern States, Indiana, and possibly Pennsylvania, for him. The Democratic members of Congress have been carefully canvassed on the subject, and out of the whole number, only two are found seriously opposed to him, while one of them has committed himself to his support, in case he should be nominated.

The Hancock movement droops. Some of his warm supporters begin to talk of him as a good man for the Vice Presidency on the ticket with Chase. New York, it is now said, will not support him; and a Vice-Presidential candidate from Pennsylvania has been started who may possibly divide with him the support of his own State. Without New York, at any rate, his chances are very slight.

Within the past ten days it is known that the Pendleton men have been greatly discouraged. The attitude of New York and the tendency of the Southern delegations combine with the sudden development of the Chase movement to inspire alarm. Nevertheless the West will make a gallant fight for him, and if it fails he will submit gracefully, as he always does, to the course of events. Those who are talking about Pendleton's renewing in the approaching convention the struggle which Douglas made at Charleston and Baltimore, know neither the character of the man nor that of his supporters. It has even been asserted here today by those who have the means of knowing, that it is within the list of possible contingencies that Mr. Pendleton may withdraw his name in advance, or after the first ballot, and cast his strength for Chase. This, as yet, seems scarcely probable; but it may be set down as certain beyond the shadow of a doubt that Mr. Pendleton will submit to the decision of the Convention, whatever it may be, and heartily support the nominee.

### Treason Suit at Knoxville.

Attention is invited to the article below, from the *Press* and *Herald*:

Circuit Court, Judge Hall Presiding. The State vs. Henry M. Ashley--Treason. Gen. Champion concluded the case yesterday morning, on the part of the defense, in a very able argument of about three hours. Attorney General Thornburg concluded on the part of the State, about two o'clock in the evening. Judge Hall delivered a very clear charge, upon all the points made by the counsel on both sides. He held that the act of the Legislature of 1861 repealing certain sections of the law of the State against treason, was a valid act. No exception was taken to his charge by either side. The jury retired for about half an hour, when they returned a verdict of not guilty.

We hope with the decision of this case, that all the animosity that has been heretofore exhibited by some radicals against those whom they have denominated as rebels will cease. Let bygones now be bygones, and if there are those of the two parties who cannot forget let them forgive. Many of both parties have done so, and are now living in friendly relations. Why should not the others follow a good example.

### Old Blount Indignant.

The following from the *Maryville Republican* speaks for itself:

Whereas, we, the travis jurors of the county of Blount, State of Tennessee, in convention assembled, having to do without our dinners for two days, and walk two miles into the country for supper, lodging and breakfast, on account of the inability of the citizens of Maryville to feed twelve men at once, do unanimously

Resolve, That we do respectfully, but most earnestly petition our honorable County Court at its next quarterly meeting to remove the County seat to Tuckaleechee Cove, where men can be fed by the dozens.

The following was offered: Resolved, That we also suggest to the honorable County Court the propriety of appropriating money sufficient to support the citizens of Maryville during the sitting of Circuit Court. Lost, says 2, noes 10.

### Highly Unfortunate.

In his letter to Hon. L. N. Morris, written on the 20th January, 1864, Gen. Grant says:

"In your letter you say that I have it in my power to be the next President. This is the last thing in the world I desire. I would regard such a consummation as being highly unfortunate for myself, if not for the country."

Commenting upon this, the most sensible remark U. S. ever made, the *Indianapolis Sentinel* says:

This is certainly an honest and candid confession. And we opine the people will agree with General Grant that his election to the Presidency would be "highly unfortunate" both for himself and the country, and as it is "the last thing in the world" he desires, they will comply with his wishes and allow him to remain in his present position as General of the army—a position which, he says in this same letter, he "indefinitely prefers to that of any civil office within the gift of the people." By all means let us carry out General Grant's wishes.

MEMPHIS papers agree that the negroes have become disgusted with the slavery to which the Loyal League had subjected them, and are deserting it en masse.

## The Law of Usury.

Chancellor Shackelford, of the Nashville district, a few days since delivered an important decision touching the rate of interest legally chargeable by the National Banks. The following is the substance of the opinion in the case of *McIntire, executor, and the heirs and creditors of Alexander Fall*:

Under the general laws upon the subject of usury in this State, the party loaning at a greater rate than six per cent, where it is included in the note, forfeits the excess over six per cent. Does the loan to Fall fall within the general rule of law prohibiting usury, or is it construed and governed by the acts of Congress creating the institution? It is a corporate body and derives its powers from the law that gave it vitality, and it becomes necessary to examine the law creating the corporation. All acts within the scope of the powers conferred are valid, and those prohibited are void. By the third section of the act of Congress, entitled "an act to provide a national currency, secured by a pledge of United States bonds, and to provide for the circulation and redemption thereof," approved June 3, 1864, it is provided that every association may take, receive, reserve and charge on any loan or discount made upon any note, bill of exchange, or evidences of debt, interest at the rate allowed by the laws of the State or Territory where the bank is located, and no more, except where, by the laws of any State, a different rate is limited for banks of issue organized in any such State under this act; and where no rate is fixed by the laws of the State or Territory, the banks may take, reserve or charge a rate not exceeding 7 per cent, and such interest may be taken in advance, reckoning the days for which the note, bill or evidence of debt has to run; and the knowingly taking, or receiving, or reserving or charging a rate of interest greater than aforesaid, shall be held and adjudged a forfeiture of the entire interest which the notes, bills or other evidences of debt carries with it, or which has been agreed to be paid thereon.

By the 53d section of said act, it is provided that "if the directors of any association shall knowingly violate or knowingly permit any of the officers, agents or servants of the association to violate any of the provisions of this act, all the rights, privileges and franchises of the association derived from this act shall be thereby forfeited." By the provisions of the 30th section of the act, the association is expressly prohibited from taking or reserving a greater rate of interest than six per cent, that being the rate of interest allowed by law in this State. By the 53d section, it is declared a forfeiture of the rights and franchise of the association. The bank, by their answer, admit that they retained, when the loan was made, interest at the rate of nine per cent. Upon a review of the authorities, I am satisfied that the loan of money by the National Bank was in direct violation of the act creating the bank, and that the contract is void, and that the bank is not entitled to recover the principal and legal interest. The object and purposes of the law was to prevent the taking of usurious interest, and it is the duty of the courts to enforce it. It is demanded by every consideration of public policy.

### Congressional Items.

We find the following in the Senate proceedings of the 18th:

The Conference Committee on the bill removing disabilities reported, recommending that Geo. W. Jones, of Tennessee, and Geo. Houston, of Alabama, the only Democrats on the list, be erased. The report was adopted. Hendricks denounced this action as shamelessly partisan. No radical Senator volunteered to reply.

Ross and Van Winkle voted nay. In the House, the Clerk's bonus bill was tabled by sixty-eight to sixty-four. This action effectually kills it.

The resolution denunciating of the Indian Treaty ratified by the Senate, passed declaring that the House will feel bound to refuse appropriations for its ratification. The treaty is a small affair with the Osage Indians, but it is important, as being the first direct attack on the combined power of the President, and Senate to make treaties.

### The Best Government.

In the House of Representatives, a few days ago, Mr. Morgan showed that in England the taxes average only 30 cents on the \$100 of property, while they average \$3.93 in the United States. In other words, the taxes in the United States are more than four times as great, in proportion to the wealth of the nation, as in Great Britain.

### In the Wrong Place.

A young lady living near St. Joseph, Missouri, who has for some time been suffering from peculiar pains in the stomach, threw up a lizard on Saturday last, measuring nearly four inches in length. The lizard had probably been swallowed at an early period of his career, but had grown to his present proportions before making himself uncomfortable.

Charles Prather left his home in Wentzville, Missouri, on the 4th inst., and was supposed to have gone to St. Louis. A week afterward, his dead body was found in the woods, near his residence. His death had been caused by a pistol wound in the head, inflicted by himself.

GEN. PRIM says Queen Isabella, of Spain, has fifteen illegitimate children.

## How Times and Men Change.

We are indebted to a late number of the *Charleston News* for the interesting reminiscence which follows:

"Several years ago a certain young United States officer was wild, and as unpopular among his army comrades as he was reckless. During the great Crystal Palace exhibition in New York city he distinguished himself by riding his horse into a hot store, and performing several feats which at last brought him to a court-martial. The court assembled at Fort Monroe, the officer was tried and the finding given, but not published—"guilty of conduct unbecoming an officer and gentleman." Informed of the finding, and anticipating its approval, the Captain for such he was, went at once to Washington, called upon the Secretary of War, and made a frank statement of the case. He acknowledged the fault, but said that if punished by the court in the manner he expected, he would be forever disgraced. In consideration of his position as an officer, and the circumstances connected with his family, he begged permission to resign. The Secretary of War informed him that such a thing as resignation after charges had been preferred was unheard of in the annals of military law, and contrary to the rule and practice of the service. But the officer begged, and finally the Secretary yielded; the resignation was allowed; and the soldier became a civilian and merchant. That officer was General Ulysses S. Grant, and the Secretary of War ex-President Jefferson Davis. These are the facts as they were related to us by an officer of the United States army."

## The Inviolability of the Confessional.

A curious case is just now engaging the attention of the U. S. Court in Kentucky—reviving the old, but never settled question, as to the inviolability of the Roman Catholic Confessional:

Last January, a negro, suspected of having committed a rape, was taken from the jail at Frankfort by a mob and hanged. The Grand Jury having taken up the case, thereupon summoned Rev. Lambert Young, a Catholic priest, who addressed the mob in the hope of dissuading them from murder, to testify as to the persons whom he saw in the crowd. Mr. Young refused on the ground that his presence was solely because of his character as a priest, and was tolerated by the mob with that understanding—also that facts coming to his knowledge by reason of such presence are confidential. Judge Ballard, however, has decided that the facts were not made known to Mr. Young confidentially, but were public, and would have been known to any one else who had gone to the place of the riot at the time. He has, therefore, committed the witness to prison until he answers the questions put by the Grand Jury.

### Bonner, and that Biography.

Bonner, of the *Ledger*, says if the Republican party don't make more out of Hiram Sammy Grant than he (Bonner) did out of the biography written by the old man (Grant's father), they will have made a bad investment. He paid the old man a good round sum for that biography, yet somehow or another it not only did not increase the circulation of the paper, but actually reduced it. Bonner, hence, was very glad when he got Hiram Sammy's note asking him as a particular, personal favor to stop printing it.

### The Way to Do It.

A bill passed the United States Senate a few days ago, removing the disabilities from a thousand or more citizens of North Carolina, South Carolina and Alabama. A glance over the list shows that the most of those who are in this bill were original secessionists, many of them among the most bitter opponents of the government during the war. They are all full-blooded radicals now, of course, and hence this clemency on the part of the radical majority. Out of the whole list there are but two who are not now in full communion with Congress.

### Disappointed.

The *New York Times* remarks: The number of disappointed office-seekers, at this moment, is immense. About one hundred politicians expected, by this time, to be members of President Wade's Cabinet; about one thousand expected to have foreign missions, and about a hundred thousand expected nice fat places throughout the country. President Wade, we were told, was to make a 'clean sweep' routing out every body, and making room for his friends. We have heard of a great many bargains among great politicians in anticipation of his advent to power. But now, bargains, hopes and expectations are all blasted. Is it not mournful to think of?

The *New Albany Commercial* cautions people against eating squirrels during the locust season, as their flesh is poisonous from eating the flying pests. Anybody that would eat a squirrel at this season ought to be poisoned.

Josh Billings says if a man is going to make a business of serving the Lord he likes to see him do it when measuring onions as well as when he hollers halleyluyer.

## Big Sensation--Kukluxes.

From the following, which we find in the Nashville *Banner*, it would appear there is "Kukluxers" in Tennessee sure enough. We had been under the impression that it was all a profound sell. The Nashville local tells it thus:

An old negro man living near Chapel Hill, 41 miles from Nashville, in Marshall county, had been proclaiming for some time past that should any of the Kuklux invade his premises he would shoot them down. It appears that the Kuklux Klan at that place became very much offended at what they considered unbearable insolence on the part of the negro, and determined to whip him for using those expressions. Eight or nine men, wearing the garb of the Kuklux accordingly visited the negro man's yard Monday night, told him to come out of the house, for they intended to inflict upon his person ten lashes that would teach him for the future to hold his tongue. They then took him out from the house some distance and had given him four or five licks, when to their utter amazement they were fired into and some of them wounded with shot from an unknown quarter. The negro man was released and the supposed Kuklux separated and went home.

On Tuesday afternoon eighteen negroes, armed with muskets and pistols marched upon the pike a short distance from Chapel Hill, and announced that they intended to kill all the Kuklux in that vicinity. When this was known in town fourteen whites took their shot guns and pistols and proceeded in double quick to meet the dusky warriors, but the latter having received news of the advance of the white party, retreated into the woods, and secreted themselves in a ravine. After diligent search the whites came suddenly upon the blacks and firing commenced immediately on both sides. It is reported that four or five of the white men were killed and wounded. The loss of the negroes is not known. Runners were sent out about four o'clock yesterday morning when the stage left that place to secure heavy reinforcements of the whites. A bloody fight was expected yesterday.

The affair is probably exaggerated.

The Nashville *Union and Dispatch*, received the day after the above was put in type, contains the following:

A report put in circulation yesterday morning by one of our city cotemporaries, headed "Bloody Collision, War Commenced Between the Ku-Klux Klan and the negroes, etc., etc.," and which fired the hearts of the greedy news-mongers turps out to be a canard. Late last night we saw a gentleman from the reported scene of action who tells us that nothing of the kind has occurred, and that matters in Marshall county are extremely quiet. A party of negroes numbering some twenty-five or thirty, left their plows on Tuesday last and went in the direction of Murfreesboro--but what occasioned their departure is not known. This probably gave rise to the rumor, and our neighbor thought to make a "good thing of it" for it certainly smells loudly of Nashville.

### Shooting Affair in Kentucky.

The Nashville *Gazette* is indebted to Capt. Barmore of the Detective Police, who has just returned from an expedition in Kentucky, for an account of a desperate shooting affair that took place in Russellville, Ky., on Tuesday morning. Major Lawrence, formerly an officer in the Federal army, and now a member of the Freedmen's Bureau, and a man named C. W. McCarty, an ex-soldier of the Confederate army, engaged in a political dispute which finally resulted in a terrible conflict with fire arms. Both men commenced shooting about the same time, but McCarty, with more deadly aim, the Major was shot through the body in three different places and no hopes were entertained of his recovery. McCarty is also severely, but perhaps not fatally wounded. The affair is creating considerable excitement about the town.

### Terrible Revenge.

Some persons who were hunting in the woods near Meridian, Miss., recently made a shocking discovery. There lay a dead negro and there lay a dead hog. The strangest part is, the hog had the man by the throat, the tusks deep buried in the flesh, holding on "like grim death to a dead nigger." This desperate bite, which undoubtedly killed the negro, is supposed to have been given in a last struggle on the part of the hog to revenge a personal injury which resulted in the hog's death—the hog was half skinned.

A New York correspondent of the *Cleveland Leader* (Radical) professes to have information that the New York delegates to the National Democratic Convention will vote on the first ballot for Andrew Johnson, and then for the strongest man.

The Denver papers announce the death by suicide, in that city, Sunday morning, of George F. Crocker, Esq., a prominent Attorney of Colorado, and states that the deed was the result of a heavy loss of money in a game of poker.

This chief secret of comfort lies in not suffering trifles to vex one, and in prudently cultivating an undergrowth of small pleasures, since very few great ones are let on long leases.

## Beware of the Man Who

Laughs. In a sermon delivered by Rev. Bellows, of New York, before the Unitarian Convention, the following paragraph:

For my own part I say it. I am suspicious of the man who does not love pleasure in any form; that is always sedate; that has no outlets for those natural sportiveness and gaiety that are rennial in the human soul. I nature takes her revenge on hence. I expect to find some malignant sin, or he is rid of him up in this hot-bed of evil and imprisoned, spite; and, it gives me a sincere moral gratification, and in any count see innocent pleasures and amusements existing the religion that frowns on merriment. Any thing is better than dark, dead, unhappy social life to enliven and excite the results from mitigated passions whose second crop is usually license and infamous folly.

## Nameless Retribution.

A few days ago, we are informed, a little girl, aged seven years, living in an orchard near the river, her father, Henry B., in the fall of 1864, a Federal soldier, had been laboring in the neighborhood for some months, sowing her seed, the fence, which divided the orchard from the road, where he was and cruelly attempted a nameless rage upon her person. Her mother, who was in the orchard, saw the fiend fled. The child's bed-ridden at the time, but a constable, was sent for, and immediate pursuit.

The uncle of the little Joseph B., an athlete and resolute, in the meanwhile, also went in search of him. long, as he rode at full speed, overtook the creature, who was in the custody of the officer. B. that he be turned over to him, and at first refused, but a long in the hand of a desperate effect, and the prisoner was sent B. then informed Irving that he further use for him, and sought to leave, which he did. The uncle then took the fiend woods, tied him to a tree, and a surgical operation upon a with a pocket knife, which warning to all such devilish creatures, if any more are glib about in that region.

## Saulsbury on Chase.

Senator Saulsbury, of Delaware, a good thing the other day. day three or four members of were chatting in one of the rooms of the Capitol, on the Presidential campaign. Senator Saulsbury, in speaking of the Convention in July, said, "I nominated Chase, I suppose I port him, but I'll be d--d to make a fight before I see Saul on the ticket with him for President."

## Sensible Advice.

The thief who stole swine from a Mr. McKean, of Tennessee, writes him a letter from Ill., which he closes as follows: "I allow me to respectfully ask you in future to be content with cheap spoons, and surplus cash in the cause of and of Christ."

## Hard to Beat.

The New York *Sea*, it says:

Col. Forney confesses that a Democratic party show adroitness and discipline. This is true, will show them to the end, an easy party to beat, as they will understand, since they are obliged to nominate as their for the Presidency a man who voted any but a Democratic ticket.

The devotedness of the Methodist meeting in New York, on a Tuesday night, were disturbed by a coat taking fire from a lighted candle carelessly in his pocket. The room hurriedly in a blaze, which required a large pail of extinguish.

Two brothers, Niles and C. James, were convicted at W. Massachusetts, on the 12th, of der of J. G. Clark, a gambler, court sentenced them to be hanged to be fixed by the Governor.

The strangely arranged rib the new bonnets of the queen Parisian demi monde, which course of a few months, will be all the fashionable fashions are called, "Don't fail to young man." Sober advice.

An old negro as living in county, Mississippi, was branded by unknown parties on his back. Evidence was adduced that three negroes who have rested.